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REMARKS

In response to the Office Action dated March 11, 2005, Applicants respectfully request reconsideration based on the above claim amendments and the following remarks. Claims 1, 10, 25 and 30 have been amended and Claims 9 and 16-17 have been canceled, leaving Claims 1-8 and 10-15 and 18-30 for consideration upon entry of the present amendment.

Support for Amendments

Support for the amendments to Claims 1, 25 and 30 may be found, for example, in original Claim 9.

Allowable Subject Matter

The Examiner has stated that Claims 9 and 10 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicants submit that Claims 9 and 10 are now in condition for allowance.

Claim 1 has been amended to include the elements of Claim 9. Specifically, Claim 1 has been amended to recite "outputting said current driving workload estimate after the passage of a pre-selected period of time from the outputting of a previous driving workload estimate, wherein said pre-selected period of time varies based on the value of the previous driving workload estimate." Applicants submit that amended Claim 1 is now in condition for allowance. Because they depend from Claim 1, Applicants submit that Claims 2-8 and 10-24 are also in condition for allowance. Claims 25 and 30 have also been amended to include the elements of Claim 9.

Applicants submit that Claims 25 and 30 are now in condition for allowance. Because they depend from Claim 25, Applicants submit that Claims 26-29 are also in condition for allowance.

Claim Rejections under 35 USC §102

Claims 1-5, 8, 13, 16, 18-21, 24, 25-26, 28 and 30 were rejected as being anticipated by U.S. Patent No. 6,580,984 to Fecher et al. ("Fecher").

Applicants submit that the rejection with regard to Claim 16 is moot because Claim 16 has been canceled.

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With respect to Claim 1, Applicants submit that Fecher does not teach, expressly or inherently, "outputting said current driving workload estimate after the passage of a pre-selected period of time from the outputting of a previous driving workload estimate, wherein said pre-selected period of time varies based on the value of the previous driving workload estimate," as recited in amended Claim 1. For at least this reason, applicants submit that Fecher does not anticipate Claim 1. Applicants submit that amended Claim 1 is now in condition for allowance. Because they depend from Claim 1, Applicants submit that Claims 2-5, 8, 13, 18-21 and 24 are also in condition for allowance.

Claims 25 and 30 also include the element "outputting said current driving workload estimate after the passage of a pre-selected period of time from the outputting of a previous driving workload estimate, wherein said pre-selected period of time varies based on the value of the previous driving workload estimate." Applicants submit that Claims 25 and 30 are now in condition for allowance. Because they depend from Claim 25, Applicants submit that Claims 26 and 28 are also in condition for allowance.

Claim Rejections under 35 USC §103(a)

Claims 6, 11-12 and 17 were rejected as being unpatentable over Fecher. Applicants submit that the rejection with regard to Claim 17 is moot because Claim 17 has been canceled. With respect to Claims 6 and 11-12, applicants submit that Fecher does not teach or suggest "outputting said current driving workload estimate after the passage of a pre-selected period of time from the outputting of a previous driving workload estimate, wherein said pre-selected period of time varies based on the value of the previous driving workload estimate," as recited in amended Claim 1. Claims 6 and 11-12 are dependent on Claim 1. For at least this reason, applicants submit that Fecher does not teach or suggest all of the elements of Claims 6 and 11-12. Applicants submit that Claims 6 and 11-12 are in condition for allowance.

Claim 7 was rejected as being unpatentable over Fecher in view of U.S. Patent Application No. 2002/01203741 to Douros et al. ("Douros"). Applicants submit that neither Fecher nor Douros, alone or in combination, teach or suggest "outputting said current driving workload estimate after the passage of a pre-selected period of time from the outputting of a previous driving workload estimate, wherein said pre-selected period of time varies based on the

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value of the previous driving workload estimate," as recited in amended Claim 1. Claim 7 is dependent on Claim 1. For at least this reason, applicants submit that Claim 7 is patentable over Fecher in view of Douros. Applicants submit that Claim 7 is in condition for allowance.

Claims 14 and 15 were rejected as being unpatentable over Fecher in view of U.S. Patent Application No. 2002/0169529 to Kim ("Kim"). Applicants submit that neither Fecher nor Kim, alone or in combination, teach or suggest "outputting said current driving workload estimate after the passage of a pre-selected period of time from the outputting of a previous driving workload estimate, wherein said pre-selected period of time varies based on the value of the previous driving workload estimate," as recited in amended Claim 1. Claims 14 and 15 are dependent on Claim 1. For at least this reason, applicants submit that Claims 14 and 15 are patentable over Fecher in view of Kim. Applicants submit that Claims 14 and 15 are in condition for allowance.

Claims 22-23, 27 and 29 were rejected as being unpatentable over Fecher in view of U.S. Patent No. 6,060,989 to Geholt ("Geholt"). Applicants submit that neither Fecher nor Geholt, alone or in combination, teach or suggest "outputting said current driving workload estimate after the passage of a pre-selected period of time from the outputting of a previous driving workload estimate, wherein said pre-selected period of time varies based on the value of the previous driving workload estimate," as recited in amended Claims 1 and 25. Claims 22-23 are dependent on Claim 1 and Claims 27 and 29 are dependent on Claim 25. For at least this reason, applicants submit that Claims 22-23, 27 and 29 are patentable over Fecher in view of Geholt. Applicants submit that Claims 22-23, 27 and 29 are in condition for allowance.

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Conclusion

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance. Accordingly, it is respectfully requested that this application be allowed and a Notice of Allowance issued. If the Examiner believes that a telephone conference with Applicants' attorneys would be advantageous to the disposition of this case, the Examiner is cordially requested to telephone the undersigned.

If there are any additional charges with respect to this Amendment or otherwise, please charge them to Deposit Account No. 06-1130 maintained by Applicants' attorneys.

Respectfully submitted,

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